

REMARKS

Reconsideration of all grounds of rejection and allowance of the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-21, as shown above, remain pending herein.

Applicants note with appreciation the indication in the Office Action that claims 7 and 9 recite allowable subject matter. These claims have been rewritten into independent format containing all of the limitations of their base claims and any intervening claims.

(1) Claims 16-21 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1 and 9 of co-pending U.S. application serial 09/848,061 in view of Limberg et al. (U.S. Publication No. 2002/0051087 A1, hereafter "Limberg").

Applicants respectfully request reconsideration of this ground of rejection, particularly as the base claims of co-pending U.S. application serial 09/848,061 have been amended in a response to an Office Action dated 12/3/03. As this ground of rejection is provisional because the applications are still under prosecution, the Applicants respectfully submit that the changes made to the claims in the co-pending application are such that instant claims 16-21 would not have been obvious to a person of ordinary skill in the art in view of claims 1 and 9 of the co-pending application, without addressing the merits of the original provisional rejection.

(2) Claims 1-6, 8, 10-11 and 13-15 stand rejected under 35 U.S.C. §102(e) as being anticipated by Limberg. Applicants respectfully traverse this ground of rejection.

Instant claim 1 has been amended to recite that the plurality of echo cancellation reference signals are positioned at respective locations between the field syncs according to a desired temporal rate coverage of dynamically changing echoes. Support for this amendment is clearly found in the specification at page 8, lines 26-28.

It is respectfully submitted that Limberg fails to disclose or suggest that the position of the echo cancellation reference signals are arranged at respective locations according to a desired temporal rate coverage of dynamically changing echoes. This feature is particularly advantageous when at a given MEA (Macro ECR Assembly) overhead percentage and the ECR insertion rate would not provide sufficient temporal rate coverage.

Therefore, Applicants respectfully submit that none of the instant claims are anticipated by Limberg as this reference fails to disclose all of the elements cited by Applicants' base claim. It is also respectfully submitted that none of the instant claims would have been obvious to a person of ordinary skill in the art in view of Limberg. Reconsideration and withdrawal of this ground of rejection are respectfully requested.


(3) Claim 12 stands rejected under 35 U.S.C. § 103(a) over Limberg in view of Koo et al. (U.S. 5,286,650, hereafter "Koo"). Applicants respectfully submit that instant claim 12 is allowable at least for its dependence upon base claim 1, which is believed to be patentable for the reasons indicated above in section (2). The combination of Limberg and Koo still fails to disclose or suggest all the elements of instant claim 1. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

A check for \$172.00 is enclosed to cover additional two independent claims.

Respectfully submitted,

Russell Gross
Registration No. 40,007


By: Steve Cha
Attorney for Applicant
Registration No. 44,069

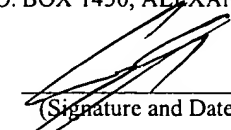
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Mail all correspondence to:
Russell Gross, Registration No. 40,007
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615

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Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)